

REMARKS

Claims 1-4 are pending in the present application.

The Examiner has restricted the claims into the following Groups:

Group I: Claims 1 and 2, drawn to a method of determining whether a material has an in vitro LAK enhancing effect;

Group II: Claim 3, drawn to a screening material containing an extract of lentinus edodes mycelium; and

Group III: Claim 4, drawn to a method of treating a tumor in a subject by administering the screening material of Group II.

The Examiner asserts that "the instant claims are not linked by special technical feature because claims 1-4 is obvious over the prior arts." In support of this position, the Examiner relies on the disclosure of Yamamoto et al. (1999) as teaching that the water-soluble rich fraction of Lentinus edodes mycelium (LEM) has antiviral and immunopotentiating activity. The Examiner further relies on Liu (1998) as teaching the induction of immunomodulating cytokines by a polysaccharide-peptide complex from a culture of mycelia of lentinus edodes. Applicants traverse this restriction and withdrawal thereof is respectfully requested.

Applicants note that the special technical feature of the present invention is the demonstration for the first time that the

extract of *Lentinus edodes* mycelium of the invention actually has an ability to activate LAK cells both *in vitro* and *in vivo* and that the *in vitro* LAK activity enhancing effect of the extract is parallel to that *in vivo*.

Neither Yamamoto et al (1999) nor Liu et al. (1998) disclose or suggest such a technical feature. As such, the claims of Groups I-III possess a common linking technical feature and the restriction is therefore improper. Rejoinder and consideration of all the claims are respectfully requested.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, claims 1 and 2.

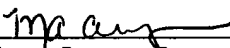
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Appl. No. 09/856,716

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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